

Docket No.: 21059/0206916-US0
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Bakulesh Khamar et al.

Application No.: 10/565,211

Confirmation No.: 9175

Filed: October 30, 2006

Art Unit: 1645

For: PROCESS FOR MANUFACTURING
PHARMACEUTICAL COMPOSITION
COMPRISES OF MYCOBACTERIUM W IN
THE TREATMENT OF ASTHMA
(OBSTRUCTIVE LUNG DISEASE)

Examiner: R. P. Swartz

DECLARATION OF DR. BAKULESH KHAMAR UNDER 37 C.F.R. 1.132

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

I am the same Dr. Bakulesh Khamar who submitted the Declaration under 37 CFR 1.132 on December 19, 2007. In the paragraph bridging pages 3 and 4 of the pending Action dated April 8, 2008, the Examiner states that the specification discloses 8 different preparations of Mycobacterium w pharmaceutical compositions, but "neither the specification nor the Declaration of Dr. Khamar [dated December 19, 2007] specifies which of the types was actually utilized." I herewith clarify that composition of Example 1A was actually utilized in Examples 4-6 while the compositions of Examples 1A and 1D were utilized in Examples 7 and 8. This information was provided in the substitute specification filed with the Amendment of June 11, 2007.

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(5) I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed at AHMEDABAD, INDIA, on this 8 day of JULY 2008.

Bakulesh Khamar, M.D.
Bakulesh Khamar, M.D.